

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**ELIZABETH A. SMITH**

V.

**MICHAEL J. ASTRUE,<sup>1</sup>  
Acting Commissioner of  
Social Security Administration**

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**NO. 1:06-CV-70**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

The Court heretofore ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable law and orders of this Court. Pursuant to such order, the Court has received and considered the Report of the United States Magistrate Judge Re Application for Attorney's Fees, along with plaintiff's brief and exhibits. Since the plaintiff's application was unopposed, no objections to the Report of the United States Magistrate Judge will be filed.

The court concludes that the findings of fact and conclusions of law of the United States Magistrate Judge are correct and the Report of the United States Magistrate Judge is **ADOPTED**. An order granting application for attorney's fees will be entered separately.

So **ORDERED** and **SIGNED** this **19** day of **September, 2007**.



Ron Clark, United States District Judge

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<sup>1</sup> Michael J. Astrue was appointed Commissioner of Social Security Administration on February 12, 2007. He is automatically substituted as a party under 42 U.S.C § 405(g) and Rule 25(d)(1), Federal Rules of Civil Procedure.